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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/699,962 | 10/30/2000 | Matthew A. Goldberg | MS150916.1 | 8290 |

27195 7590 02/24/2005

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| EXAMINER |
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SHAH, SANJIV

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| ART UNIT | PAPER NUMBER |
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2176

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,962

Applicant(s)

GOLDBERG, MATTHEW A.

Examiner

Sanjiv D. Shah

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) 16-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14, 15 and 27-29 is/are rejected.
- 7) ☒ Claim(s) 10-13, 30-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-15, 27-31 are pending. Claims 16-26 have been withdrawn as being non-elected.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, 14-15, 27-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Petterson. (Patent # 6,826,594)

Regarding claims 1, 27, 28, Petterson teaches a computer implemented system for servicing a client request comprising (See fig 2. Also see col. 4, lines 50-52, wherein the client request for web page is serviced)

an executable component operable for receiving the request and executing code corresponding to the request (See col. 4, lines 52-55), the executable component retrieving at least one text constant and inserting at least one variable argument result corresponding to the request into the at least one text constant (See col. 4, lines 55-67, wherein the identification code is a constant and dynamic content is a variable or argument that is inserted. Also see col. 4, lines 18-28.) and passing the at least one text constant to the client. (See col. 10, lines 32-46, wherein the dynamic content code 721 and 722 are sent back to user that contains tag ID that is a constant)

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Regarding claims 2, 3, Petterson teaches the claimed invention of text constant and variable residing in memory prior to runtime. (See col. 7, lines 7-14, wherein the dynamic code containing constant (ID) and variable is stored in database, i.e. is equivalent to memory).

Regarding claims 4, 5, 6, Petterson teaches the claimed invention of at least one string template page with constant and variable argument. (See col. 8, lines 54-col. 9, lines 5, wherein ID is constant and dynamic content is argument)

Regarding claim 7, Petterson teaches the claimed invention of string indicator and argument indicator as described in col. 9, lines 1-8, wherein the URL is the string and argument indicator.

Regarding claims 8, 14, 29, Petterson teaches the claimed invention of loading string template page (See col. 8, lines 55-58) and parsing the string template page to identify text constant (see fig 5, element 301) storing text constant into memory (col. 8, lines 60-63) and retaining unique identifier to retrieve at runtime (col. 9, lines 3-5)

Regarding claim 9, Petterson teaches the claimed invention of retaining pointer to memory location of text constant (See col. 9, lines 1-5. Specifically file address).

Regarding claim 15, Petterson teaches the claimed invention of HTML text constant as described in col. 9, lines 1-5.

Allowable Subject Matter

3. Claims 10-13, 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (571)272-4098. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sanjiv D. Shah
Primary Examiner
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S. Shah
February 21, 2005



SANJIV SHAH
PRIMARY EXAMINER